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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BOARD OF TRUSTEES OF THE
PLUMBERS AND PIPEFITTERS LOCAL
525 HEALTH AND WELFARE TRUST
AND PLAN; BOARD OF TRUSTEES OF
THE PLUMBERS AND PIPEFITTERS
UNION LOCAL 525 PENSION PLAN; and
BOARD OF TRUSTEES OF PLUMBERS
AND PIPEFITTERS LOCAL UNION 525
APPRENTICE AND JOURNEYMAN
TRANINING TRUST FOR SOUTHERN
NEVADA,

Plaintiffs,

v.

BEVERAGE MANAGEMENT SYSTEMS,
INC., and Oregon corporation; GORHAM
NICOL, an individual,

Defendants/Third Party

Plaintiffs.

v.

UNITED ASSOCIATION OF
JOURNEYMEN AND APPRENTICES OF
THE PLUMBING AND PIPE FITTING
INDUSTRY OF THE UNITED STATES
AND CANADA, LOCAL 525, LAS VEGAS

Case No. 2:17-cv-01079-RFB-VCF

**STIPULATED REQUEST FOR
EXTENSION OF TIME FOR THIRD
PARTY DEFENDANTS TO RESPOND
TO AMENDED THIRD PARTY
COMPLAINT**

(First Request)

1 NEVADA AFL-CIO; DERICK STOWELL;
2 RUBIN BROWN LLP, SUCCESSOR IN
3 INTEREST TO STEWART, ARCHIBALD &
4 BARNEY; LECIA BARNUM, and GLENN
5 GOODNOUGH,

Third Party Defendants.

6 COME NOW Plaintiffs Board of Trustees of the Plumbers and Pipefitters Union Local
7 525 Health & Welfare Trust and Plan, Board of Trustees of the Plumbers and Pipefitters Union
8 Local 525 Pension Plan, and the Board of Trustees of the Plumbers and Pipefitters Union Local
9 525 Apprentice and Journeyman Training Trust for Southern Nevada (collectively, "Plaintiffs");
10 Defendants/Third-Party Plaintiffs Beverage Management Systems, Inc. and Gorham Nicol
11 ("collectively, "Defendants"), and Third-Party Defendants United Association of Journeymen
12 and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada,
13 Local 525, Las Vegas, Nevada AFL-CIO ("Union"); Derick Stowell ("Stowell"); RubinBrown
14 LLP ("RubinBrown"); Lecia Barnum ("Barnum"), and Glenn Goodnough ("Goodnough")
15 (collectively, "Third Party Defendants"), by and through counsel, and for their first Stipulated
16 Request for Extension of Time for Third Party Defendants to Respond to Amended Third Party
17 Complaint, up to and including December 15, 2017, state as follows:
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19 1. This lawsuit was brought by Plaintiffs on April 18, 2017. Per the Court's case
20 management order, the deadline to amend pleadings or add parties was August 31, 2017; the
21 discovery deadline is November 29, 2017; and the dispositive motion deadline is December 29,
22 2017. [ECF No.15].

23 2. On August 31, 2017, Defendants filed a motion for leave to file Third-Party
24 Complaint. [ECF No. 17]. The Court granted that motion on September 28, 2017. [ECF No.
25 21]. On October 3, 2017, Defendants filed their Third Party Complaint [ECF No. 24], and
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1 Amended Third Party Complaint. [ECF No. 25].

2 3. On October 25, 2017, Plaintiffs filed their Emergency Motion to Reconsider with
3 respect to the filing of the Third Amended Complaint. [ECF No. 34].

4 4. On November 3, 2017, Plaintiffs filed their Emergency Motion to Strike
5 Defendants' First Amended Third-Party Complaint ("Emergency Motion to Strike"). [ECF No.
6 38].

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8 5. On November 3, 2017, Defendants filed their Motion to Extend Discovery and
9 Other Case Deadlines ("Motion to Extend Discovery") [ECF No. 39]. This motion remains
10 pending.

11 6. All Third Party Defendants have been appropriately served as follows:
12 RubinBrown (October 26, 2017); Goodnough (October 27, 2017); Union (October 27, 2017);
13 Stowell (November 1, 2017); and Barnum (November 14, 2017).

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15 7. On November 14, 2017, the Court denied Plaintiffs' Emergency Motion to
16 Reconsider and Emergency Motion to Strike. [ECF No. 43].

17 8. Third Party Defendants require additional time to investigate the allegations,
18 evaluate their defenses, and prepare their responses, particularly in light of the Court's recent
19 decisions to deny Plaintiffs' Emergency Motion to Reconsider and Emergency Motion to Strike.

20 9. Counsel for Third Party Defendants have conferred with counsel for Plaintiffs
21 and for Defendants, and the parties agree that Third Party Defendants shall have an extension of
22 thirty (30) days from the date of this Stipulation, up to and until December 15, 2017 to respond
23 to the Amended Third Party Complaint, by answer, motion, pleading, or otherwise. The parties
24 agree that this extension is appropriate given the recently decided motions, the different service
25 dates and response dates for each Third Party Defendant, the impending Thanksgiving holiday,
26 and the interest of judicial efficiency of having a consolidated response date.
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1 10. Third Party Defendants will require time to conduct discovery, prepare their
2 defenses, and file dispositive motions, and Third Party Defendants accordingly reserve their
3 rights to seek relief from the Court's Scheduling Order and to move to extend the discovery,
4 dispositive motion, and other case deadlines or for any other relief.

5 11. The parties also agree that the Third Party Defendants will serve their initial
6 disclosures pursuant to Rule 26(a) within seven days after they file their responsive pleading.
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8 WHEREFORE, by Stipulation of all Parties, the Third Party Defendants request that the
9 Court grant them a stipulated extension up to and until December 15, 2017 to respond to the
10 Amended Third Party Complaint, by answer, motion, pleading, or otherwise.

11 Dated this 15th day of November, 2017.

12 HUTCHISON & STEFFEN, PLLC

FISHER & PHILLIPS, LLP

13
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/s/ Allison L. Kheel

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and Pipe Fitting Industry of the United States
And Canada, Local 525, Las Vegas Nevada
AFL-CIO and Derick Stowell*

IT IS SO ORDERED

Dated this 16th day of November, 2017.



UNITED STATES MAGISTRATE JUDGE